

STATE OF CALIFORNIA
DEPARTMENT OF TOXIC SUBSTANCES CONTROL

PROPOSAL TO LIST SPRAY POLYURETHANE FOAM SYSTEMS
WITH MDI AS A PRIORITY PROJECT
VOLUME I

Tuesday, May 16, 2017

Location: CalePA Building
 Sierra Hearing Room
 1001 I Street, Twelfth Street
 Sacramento, California, 95814

Transcribed By: Kelly Farrell, CSR 8081

APPEARANCESHearing Officers:

Julia "Ky" Gress, Department of Toxic Substances Control

Karl Palmer, Department of Toxic Substances Control

Public Commenters:

Stephen Wieroniey, American Chemistry Council, Center for Polyurethane Industry

Randy Fischback, Dow Chemical Company

Paul Coleman, Huntsman Corporation

Will Lorenz, General Coatings Manufacturing Corporation

Gary Talbott, 5 Star Performance Insulation

Mitch Fine, Armstrong

Alyssa Stinson, California Building Industry Association

Veena Singla, Natural Resources Defense Council

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1 P R O C E E D I N G S

2 1:30 P.M.

3 MR. PALMER: Good afternoon, everyone. We're
4 going to get started here in a moment.

5 Thank you for coming today. This is a formal
6 hearing regarding our proposed regulations for spray
7 polyurethane foam.

8 I'm going to just let you know that we are
9 supposed to have a court reporter here to take a record.
10 We are recording this event, so we will use that and
11 transcribe that.

12 If and when the reporter gets here, we're going
13 to take a short break to allow that person to set up their
14 equipment so we can have some redundancy because it's
15 important to us that we capture everyone's comments very
16 accurately.

17 So, with that, I'm going to turn this over to Ky
18 Gress, who is going to start this hearing. It isn't a
19 hearing; we're just listening today. And it's an
20 opportunity for you to give us input.

21 I also want to let you know that we did extend
22 the formal comment period, so you have additional time.
23 Typically, we have this hearing on the last day of the
24 period; but you have additional time, through June 6th, to
25 comment through our website on CalSAFER. So please feel

1 free to do that. We encourage and look forward to your
2 comments.

3 So, with that, I'm going to turn it over to Ky.
4 Thank you.

5 MS. GRESS: Good afternoon. Welcome everybody.

6 My name is Ky Gress, and I'm with the Department
7 of Toxic Substances Control. I will be the hearing officer
8 for today's proceedings.

9 And, first, we need to do a little housekeeping:

10 Please look around you now and identify the exit
11 closest to you. In some cases, an exit may be behind you.

12 In the event of a fire alarm, we are required to
13 evacuate this room immediately.

14 Do not use the elevators.

15 Please take your valuables with you.

16 Exit through the closest stairway.

17 Proceed to the relocation site at Cesar Chavez
18 Park across the street.

19 Please obey all traffic signals and exercise
20 caution crossing the street.

21 While staff will endeavor to assist you to the
22 nearest exit, you should also know that you may find an
23 exit door by following the ceiling-mounted exit signs.

24 If you cannot use stairs, you'll be directed to a
25 protective vestibule inside a stairwell.

1 For the record, today is May 16th, and the time
2 is 1:30 PST.

3 Under the provisions of the Administrative
4 Procedure Act, this is the time and place set for the
5 presentation of statements, arguments, and contentions,
6 orally or in writing, for or against the Department's
7 proposal to amend California Code of Regulations, Title 22,
8 Division 4.5, Sections 69502.2(A)(1)(c), 69502.2(A)(1)(f),
9 and 69502.2(A)(1)(g) of Chapter 55.

10 This proposed amendment pertains to
11 identification of candidate chemicals under the Safer
12 Consumer Products Regulations approved by the Office of
13 Administrative Law and filed with the Secretary of State on
14 August 28th, 2013.

15 The entire proceedings will be recorded. The
16 recording, as well as any exhibits or evidence presented at
17 this hearing, will be incorporated into the rulemaking file
18 and will be reviewed prior to final approval of the
19 regulations by the Department and the Office of
20 Administrative Law.

21 Now, the purpose of today's hearing is to accept
22 public comment. If you would like to speak, please
23 register by filling out the comment card and giving it back
24 to Andrew.

25 Registered persons will be heard in the order of

1 their registration. Anyone else wishing to speak at the
2 hearing will have an opportunity after all registered
3 persons have been heard.

4 Persons presenting testimony at this hearing will
5 not be sworn in, nor will we engage in cross-examination of
6 those providing public comment.

7 The Department will not respond to comments made
8 today, but will address all comments in writing and include
9 them as part of the rulemaking record available to the
10 public.

11 We ask that you restrict your comments to the
12 regulations being considered today.

13 If you have a written comment you would like to
14 submit, please give that to Andrew before you leave.

15 Persons who do not wish to speak but would like
16 to indicate their presence at this hearing can do so using
17 a participant sign-in sheet on the table near the front
18 door.

19 The participant sign-in sheet will be used to
20 notify you of any post-hearing changes to the proposed
21 regulations.

22 Please note that unless you specifically request
23 notification by mail, we will be using the e-mail addresses
24 on the sign-in sheet, on the comment cards, and those
25 provided with written comments to notify interested parties

1 of any post-hearing changes to the proposed regulations.

2 After the close of this hearing, you may present
3 hardcopy written comments to us at this location -- 1001 I
4 Street, Twelfth Floor, Sacramento, California,
5 95814 -- until the close of business, which is 5:00 p.m. on
6 June 6th, or you may submit written comments to us through
7 the Safer Consumer Products Information Management System,
8 also known as CalSAFER, until 11:59 PST on June 6th.

9 Copies of the proposed regulations and public
10 notice are on the table near the door. This regulation was
11 duly noticed in the California Regulatory Notice Register,
12 and copies of the proposed regulation's text and the ISOR
13 [phonetic] were made available to interested parties who
14 requested such notice.

15 Additional copies are available through the
16 Department's website and at the Department's headquarter
17 office, regional offices, the State libraries, and
18 depository libraries.

19 Again, people wishing to speak at this hearing
20 need to register as witnesses. If you have not yet
21 registered and wish to speak, we ask that you do so now by
22 adding your name to the sign-in sheet at the back of the
23 room and filling out a comment card.

24 Testimony will be heard in the order of
25 registration and be limited to three minutes. Andeshla

1 [phonetic] at the front will be holding up signs indicating
2 when it's been -- when you have two minutes left, one
3 minute, and then the red sign means please stop.

4 To enable the audience to hear and to ensure that
5 your comments are entered into the record, we ask that you
6 come to the front and speak into the microphone when
7 called. It would also be helpful if you start by stating
8 your name -- and please spell it out -- and the
9 organization that you represent.

10 We also ask that if you have written comments to
11 submit along with your oral comments, either limit your
12 oral comments to those not covered in your written comment
13 or summarize your written comments. And, at the end,
14 please, again, give Andrew a copy of your written
15 statement.

16 With that, let us begin to hear comments on the
17 proposed regulations.

18 And the first witness who has registered to
19 testify is -- thank you -- Stephen Wieroniey with the
20 American Chemistry Council.

21 MR. WIERONIEY: It's Steve Wieroniey, and I'll
22 spell it, S-T-E-P-H-E-N. And the last name is Wieroniey,
23 W-I-E-R-O-N-I-E-Y.

24 My name is Steven Wieroniey. I'm the Director of
25 the Spray Foam Coalition and Sustainable Activities at the

1 ACC Center for the Polyurethanes Industry.

2 The American Chemistry Council Center for the
3 Polyurethane Industry and Spray Foam Coalition would like
4 to thank the DTSC for holding this hearing, and we
5 appreciate the opportunity to participate and present this
6 helpful information.

7 The Center for the Polyurethanes Industry
8 represents members of the polyurethanes value chain. And
9 the Spray Foam Coalition, represents 18 systems houses and
10 13 of their supplies, which manufacture a vast majority of
11 the spray foam sold in California.

12 As you know, we oppose the proposed listing of
13 spray polyurethane foam containing unreacted MDI as a
14 priority product.

15 The proposed listing is not supported by science,
16 and the record fails to demonstrate the potential for
17 public and/or aquatic avian, terrestrial plant, or organism
18 exposure to the candidate chemicals in the product, or the
19 potential for widespread or significant adverse impacts.

20 The Department alleges that the expanded use of
21 SPF is resulting in increasing [unintelligible] or
22 workplace asthma and -- from unreacted MDI in spray
23 polyurethane foam systems.

24 This is not borne out by the NIAASH [phonetic]
25 data, nor presented by the California Department of Public

1 Health.

2 As we will detail in our written comments, the
3 DTSC's hypothesis is incorrect; and, in fact, recent data
4 shows a decline in asthma rates associated with isocyanides
5 and no cases attributable to unreacted MDI in spray foam in
6 California.

7 In its evaluation of SPF systems, DTSC has
8 ignored manufacturing and use practices that mitigate
9 exposure. The DTSC did not consider engineering and
10 administrative controls that limit exposure to an
11 acceptable level, and did not properly evaluate the
12 frequency, extent, level, and duration of the potential
13 exposure associated with different spray polyurethane foam
14 products.

15 The DTSC is actually proposing to regulate
16 multiple distinct SPF products as one generic product
17 referred to as SPF systems. These products have different
18 uses, application methods, potential exposure scenarios,
19 and should be treated as different products.

20 DTSC must individually determine if these
21 products meet the prioritization criteria and individually
22 assess the cost, burden, and benefit associated with
23 listing them.

24 Spray polyurethane foam is an effective and
25 proven building material with a proven -- excuse

1 me -- proven building material with a 40-year track record
2 of success.

3 Industry has made a robust commitment to product
4 safety and stewardship, and this industry has created
5 high-quality training materials, outreach programs,
6 applicator certifications, detailed product instructions
7 and videos in multiple languages to provide information to
8 users of these products.

9 Spray polyurethane foam increases energy
10 efficiency, which, in turn, reduces greenhouse gas
11 emissions in California, aiding the state in meeting its
12 climate and energy goals.

13 We urge the state to acknowledge SPF and
14 to -- helps fight against climate change, and that
15 subjecting them to unnecessary regulation or even
16 discouraging the legitimate use, will further escalate
17 outcomes we all wish to avoid.

18 California has made commitments to reduce
19 greenhouse gas emissions to 1990 levels by 2020, then by
20 another 40 percent by 2030, and to double the energy
21 efficiency of buildings by 2030. These commitments require
22 the use of multiple tools, and SPF and insulation, air
23 sealant, and vapor barrier is a valuable one.

24 An alternatives assessment for a product with no
25 alternatives provides no justifiable benefit to public

1 health, to the state, or to regulated entities.

2 The DTSC can directly improve public health by
3 reconsidering ACC's offer to partner with the state on
4 increased education and training and other
5 exposure-reduction efforts.

6 In conclusion, we urge the Department to rescind
7 the listing and work with stakeholders in a way that will
8 benefit all. And ACC plans to submit written comments by
9 the June 16th -- or June 6th comment deadline.

10 Thank you.

11 MS. GRESS: Thank you, Stephen.

12 Our next speaker is Randy Fischback.

13 MR. FISCHBACK: Good afternoon. My name is Randy
14 Fischback, R-A-N-D-Y F-I-S-C-H-B-A-C-K. I'm with the Dow
15 Chemical Company.

16 Dow opposes DTSC's proposal to list unreacted MDI
17 in SPF systems as a priority product for several reasons.

18 The DTSC has failed to demonstrate that SPF
19 products present the potential for widespread or
20 significant adverse impacts as required by its own
21 regulations. Your own peer reviewer appears to agree with
22 this statement.

23 This chemical product combination is well studied
24 and already subject to robust regulatory control and
25 stewardship programs.

1 Air leaks waste up to 40 percent of the energy
2 used to heat and cool buildings. SPF allows builders and
3 contractors to air-seal and insulate in one time-saving
4 step.

5 As a climate-change leader, California should be
6 promoting the use of SPF systems as opposed to attempting
7 to limit its use or require investigation into unproven and
8 undeveloped alternatives.

9 This proposed listing is at odds with the efforts
10 of the California Energy Commission and the intentions of
11 Governor Brown when he set the state's climate goals.

12 The proposal is muddled by the multiple systems
13 available on the market and the unique characteristics of
14 each system. They should be evaluated individually, which
15 Dow feels would show that those products are safe for use.

16 Dow has a robust product stewardship program that
17 includes providing clear labeling, safe-handling documents
18 and training, and Dow is a responsible care company. When
19 used as instructed, these products are safe for use and
20 don't need to be regulated under SPC.

21 The Dow spray polyurethane insulation's business
22 has a report showing building code compliance evaluated in
23 accordance with AC377, which must provide user training.
24 These evaluation reports issued by ICC Evaluation Service
25 LLC are based upon performance features of the

1 International Family of Codes.

2 This acceptance criteria has been issued to
3 provide interested parties with guidelines for
4 demonstrating compliance with performance features of the
5 codes referenced in the criteria.

6 The criteria was developed through a transparent
7 process involving public hearings and/or online postings
8 where public comment was solicited.

9 Under Section 5.2 on Installer Credentialing,
10 quote, "The evaluation report shall state that the
11 installation shall be by professional contractors
12 certified, accredited, authorized, or approved by the
13 report holder or by SPFA," end quote.

14 Dow completes testing to verify conformity with
15 the California Department of Public Health VOC
16 specifications for our SPF insulation products to ensure
17 they're safe as installed.

18 Based on existing product stewardship and
19 industry training programs, the California construction
20 market can and should continue to -- should continue to
21 rely on SPF products to improve the energy efficiency,
22 comfort, and durability of residential and commercial
23 buildings.

24 Thank you very much.

25 MS. GRESS: Thank you.

1 Our next speaker is Paul Coleman.

2 MR. COLEMAN: Good afternoon. My name is Paul
3 Coleman, P-A-U-L C-O-L-E-M-A-N. And I'm commenting on
4 behalf of Huntsman Corporation.

5 Huntsman is a global producer of specialty
6 chemicals that is based in the United States. We supply
7 raw materials to the spray polyurethane foam industry.

8 Huntsman opposes the proposes listing of spray
9 polyurethane form, commonly referred to as SPF, as a
10 priority product by DTSC.

11 Huntsman does not believe that SPF meets the
12 criteria for selection as a priority product.

13 The industry has invested a tremendous amount of
14 time, effort, and money into developing excellent product
15 stewardship programs. These programs have done a great job
16 of keeping SPF contractors safe during the application
17 process. This is supported by the fact that the use of SPF
18 has continued to grow while the total number of respiratory
19 sensitizations from isocyanide use has dropped to extremely
20 low numbers, as shown in the CDC data that has been
21 provided to the Department.

22 It certainly does not meet any reasonable
23 definition of widespread and significant adverse health
24 impacts.

25 Furthermore, SPF is a valuable tool for

1 California to meet its aggressive energy efficiency goals
2 as outlined in AB32. In fact, SPF is a trusted and vital
3 product used around the world for insulating buildings and
4 preserving food.

5 An unavoidable outcome of proceeding with this
6 SPF listing is that it will impede its use by creating
7 uncertainty in the market and by raising questions about
8 what the regulatory outcome of this process will be.

9 California should not be fighting to meet its
10 bold energy efficiency goals with one hand tied behind its
11 back.

12 Thank you for the opportunity to speak at this
13 hearing.

14 MS. GRESS: Thank you.

15 Our next speaker is Will Lorenz.

16 MR. LORENZ: Hello. My name is Will Lorenz,
17 W-I-L-L L-O-R-E-N-Z. I'm with General Coatings
18 Manufacturing Corp. Out of Fresno, California.

19 As a California small-business assembler with 27
20 employees and less than 10 million in foam component sales
21 located in the economically-challenged Fresno area with
22 limited resources, TCMC formally requests until
23 September 6th to fully comment on the rulemaking's
24 extensive economic analysis and Office of Administrative
25 Law Review Notice on spray polyurethane foam systems with

1 unreacted MDI.

2 We find this proposed regulation onerous to small
3 business and duplicative to EPA, Cal/OSHA, OWIHA
4 [phonetic], and CARB.

5 Second, as we've stated before, this rulemaking
6 improperly combines multiple product
7 chemicals -- high-performance three-pound roofing, high
8 performance two-pound intur [phonetic], high-performance
9 half-pound intur, and several low-pressure products -- as
10 single generic spray foam systems.

11 Under Safer Consumer Products 69501 through
12 69503, DTSC cannot proceed forward until it's fully
13 justified that each of these products -- these multiple
14 product chemicals has met the rulemaking standard for the
15 potential to cause significant widespread adverse harm.

16 DTSC has failed to meet this standard for an
17 ameliorated spray foam systems, as misrepresented that
18 these multiple distinct products.

19 As evidence, DTSC in the technical paper modified
20 the EPA Chart 2013, which showed separate and distinct
21 spray foam products to combine them as spray polyurethane
22 foam systems. These multiple product chemicals serve
23 different NAICS codes, markets, distribution channels,
24 clients, applications, as well as have unique formulas,
25 performance characteristics, and code compliances.

1 Further, these multiple product chemicals have
2 substantially different but low-risk levels, different
3 hazard potentials, unique user groups, different end-use
4 environments, along with different PPE administrative and
5 engineering controls.

6 We formally request that DTSC suspend its
7 rulemaking process for the improperly classified product
8 chemical defined as spray polyurethane foam systems with
9 unreacted MDI until it fully meets the Safer Consumer
10 Product Standard on potential for significant widespread
11 and adverse harm for each multiple product chemical as
12 outlined by EPA.

13 Thank you very much.

14 MS. GRESS: Thank you, Will.

15 Our next speaker is Gary Talbott.

16 MR. TALBOTT: Good afternoon. Gary Talbott,
17 T-A-L-B-O-T-T. I'm President of 5 Star Performance
18 Insulation here in Sacramento.

19 We are an insulation contracting firm. We
20 install spray polyurethane foam and all different types of
21 building insulation here in the industry in northern
22 California and Lake Tahoe area. We are a small, green
23 business here. And we've been a spray foam contractor
24 since 2002.

25 We have completed approximately 5,000 projects

1 with spray foam over that period of time. And some of the
2 industries that we use our spray foam in would be in tract
3 homes, metal building industry, agriculture, light
4 industry, and certainly the wine industry as well. So we
5 serve a lot of different communities here in the state.

6 I want to bring up that certainly we're here to
7 raise our opposition in regards to the proposals by DTSC.
8 And one of the -- one of the items that we feel is -- needs
9 to be adjusted or redirected is the flawed process right
10 from the beginning. It does lack a lot of scientific
11 support. We were actually here three years ago in this
12 building and with a group from the industry and provided
13 additional information that was not only scientifically
14 based, but a lot of good facts in general in regards to the
15 spray foam products that are available on the market.

16 And, at what time, we learned that the DTSC got
17 the majority of their information from the Internet, which
18 was a little concerning to us.

19 On the health issue, we've done multiple, as I
20 mentioned before, 5,000-plus applications of spray foam. I
21 want to make this perfectly clear: We have no hours
22 downtime from health issues in regards to that. Nobody has
23 ever been sick, and nobody has missed a day, nobody has
24 missed an hour of work. So I think that's important to
25 bring up today as well.

1 In conclusion, I think we are already highly
2 regulated, EPA and OSHA already have fundamental guidelines
3 and regulations in place and are enforced over the years.
4 We, as an industry, have worked hand in hand to make those
5 possible. And, again, our safety record is an indication
6 of the stewardship and training programs that we go through
7 on a constant basis. Manufacturers, suppliers, have
8 benefited from that as well.

9 So, again, I want to thank you for the
10 opportunity to just raise to the issue that the impact it
11 does have on our industry. Just three days after the first
12 announcement of your findings or your proposals were going,
13 I had a major national builder pull out of a contract,
14 which caused us to lose between \$3 to \$4 million worth of
15 work on that particular day. That was four years ago. So
16 I'll never forget that one as well.

17 But it does impact. We are a small business
18 here. We do employ people here in the State of California.
19 And we provide a green service and the opportunity for
20 everybody to have a net zero home.

21 So we thank you again.

22 MS. GRESS: Thank you for your comment.

23 Next up Mitch Fine.

24 MR. FINE: Good afternoon, Mitch Fine.

25 With respect to DTSC's definition of the product

1 SPF with unreacted MDI, the term "spray" is not descriptive
2 of a chemical product since spray is a manufacturing
3 process shared by multiple polyurethane end products,
4 including factory fabricated rigid polyurethane.

5 "Spray" describes most polyurethane products
6 manufactured by means of high-pressure impingement jets,
7 including products in the automobile transportation sector,
8 medical supplies, packaging, molding, et cetera.

9 By utilizing the term "spray," and then exempting
10 the majority of spray PU products, DTSC is differentiating
11 types of SPF products with unreacted MDI based solely on
12 engineering controls, which are at the bottom of the hazard
13 control hierarchy.

14 According to DTSC, however, it avoids the bar
15 duplicative regulation because, even though OSHA already
16 regulates SPF workplace hazards, it is from the perspective
17 of controlling the hazard, not its elimination. But isn't
18 this exactly what DTSC is doing by exempting
19 factory-produced PU on the basis that it's safe via hazard
20 control rather than elimination substitution?

21 DTSC's exemption due to a hazard control analysis
22 is both prescribed by green chemistry and counters DTSC's
23 claim that its regulatory rubric is unique and
24 non-duplicative.

25 Furthermore, DTSC's descent down the hazard

1 pyramid, cannot be justified since the majority of all
2 harm, including deaths, set forth in its technical report
3 is attributable to isocyanides in a controlled factory
4 setting.

5 Nevertheless, if DTSC feels that it has
6 regulatory authority to carve out four products from the
7 smallest sector of the SPF market on the sole basis of
8 insufficient engineering controls, it still faces the
9 hurdle of demonstrating the potential for widespread or
10 significant adverse impact.

11 This adverse impact is directly contradicted by
12 CDC's surveillance data from California for the period 1993
13 to the present with only two cases of work-related asthma
14 associated with spray foam, which are both related to box
15 packaging which has been exempted by DTSC.

16 Per the California Department of Public Health
17 with respect to the period 1993 to 2008, 73 percent of all
18 work-related isocyanide exposure in the multiple state
19 surveillance program were out of Michigan. Michigan -- and
20 this is a quote from CDPH, "Michigan data is clearly
21 driving the fact that isocyanides were in the top of ten
22 exposure categories during the time period. Nearly half of
23 Michigan's total work-related asthma cases identified were
24 in the auto manufacturing industry," again, exempted by
25 DTSC because of engineering controls.

1 In California, isocyanides are not in our ten
2 most frequently reported exposures, and per California
3 Department of Health, never have been.

4 I want to conclude by bringing DTSC's attention
5 to the comments of their independent, outside reviewers Dr.
6 Locke and Dr. Nimery [phonetic]. Both have said that the
7 human health data from potential MDI exposure regarding SPF
8 is limited and inadequate.

9 According to Nimery, he basically says, "The
10 choice of source as quoted to provide evidence for the
11 existence of MDI-induced occupational asthma is somewhat
12 strange and unbalanced. One should acknowledge that the
13 evidence reported is weak with regard to the causal role of
14 MDI. The language used suggests that the evidence is poor
15 or even non-existent." That's your independent reviewer.

16 I ask DTSC to take notice of their external
17 review process and to take that into consideration when
18 they move forward with the prioritization of spray foam.

19 Thank you.

20 MS. GRESS: Thank you for your comment.

21 Our next speaker is Alyssa Stinson.

22 MS. STINSON: Good afternoon. My name is Alyssa
23 Stinson. I'm with the California Building Industry
24 Association.

25 And I'm here to -- I appreciate the opportunity

1 to speak on this issue today, and, unfortunately, have come
2 here to express our strong opposition to the potential
3 listing of SPF.

4 CBIA represents thousands of member companies
5 that include builders, developers, contractors,
6 manufacturers, and design professionals from across the
7 state. Annually, our members bring online 80-plus percent
8 of all new residential construction annually.

9 Collectively, our members are extremely concerned
10 about the chilling effect this will have on the spray foam
11 industry and our ability to utilize this critical product
12 in the new construction market.

13 State policy demands that our industry bring to
14 market homes that achieve higher and higher levels of
15 energy efficiency and greenhouse gas reductions while also
16 being as cost effective as possible.

17 Spray foam is a critical tool in our tool chest
18 to achieve those high levels of energy savings and to get
19 the state -- get to the state's goal of having all new
20 construction zero net energy in the state in the next
21 several years. And this will be nearly impossible should
22 this tool -- this -- should this product be listed.

23 By our assessment, this listing will either drive
24 our members to use less efficient products, which we've
25 already seen happen, or it will drive the price of the

1 product up to a point where we -- where that doesn't make
2 economic sense.

3 We are all well aware of the serious housing
4 crisis that we have in California, and we are very
5 concerned that this effort will only add to the
6 skyrocketing housing costs and push safe and affordable
7 housing out of reach for more Californians.

8 We urge you to not move forward with this listing
9 and work with the industry in building community on a
10 better approach.

11 Thank you.

12 MS. GRESS: Thank you, Alyssa.

13 Veena Singla.

14 MS. SINGLA: Good afternoon. Veena Singla with
15 the Natural Resources Defense Counsel, V-E-E-N-A
16 S-I-N-G-L-A.

17 NRDC is an international non-profit with over 2
18 million members, 400,000 of whom are Californians.

19 NRDC is in support of DTSC's proposal to list
20 spray polyurethane foam systems.

21 NRDC believes that building energy efficiency can
22 and should be accomplished without the use of hazardous
23 chemicals that are potent respiratory sensitizers and
24 toxicants.

25 DTSC presented robust scientific evidence that

1 MDI has the potential to cause significant adverse impacts.
2 MDI is a chemical linked to irreversible and lifelong
3 serious health impacts, including asthma and respiratory
4 sensitization.

5 NRDC sees DTSC's proposal and the Safer Consumer
6 Products process as a win-win-win situation for product
7 innovation and safer building insulation products, as well
8 as building energy efficiency, safer and healthier
9 buildings, and the health of the people of California and
10 California communities.

11 Thank you.

12 MS. GRESS: Thank you.

13 That concludes the registered witnesses.

14 Is there anyone here who would like to step
15 forward and present additional comments related to this
16 rulemaking?

17 Okay. Let the record show that no one else
18 raised their hand or otherwise indicated that they wish to
19 speak.

20 Therefore, I am closing the oral testimony
21 portion of this hearing.

22 Let me remind you that you may submit hardcopy
23 written comments to the Department. You may also give a
24 written comment today to Andrew in the back. You may also
25 submit comments electronically through online CalSAFER

1 until 11:59 p.m. on June 6th.

2 Anything else?

3 Thank you again for taking the time to come out and share
4 your perspective.

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TRANSCRIBER'S CERTIFICATE

I do hereby certify that the testimony in the foregoing hearing was taken at the time and place therein stated; that the testimony of said witnesses were transcribed by me, a certified shorthand reporter and a disinterested person, and was under my supervision thereafter transcribed into typewriting.

And I further certify that I am not of counsel or attorney for either or any of the parties to said hearing nor in any way interested in the outcome of the cause named in said caption.

IN WITNESS WHEREOF, I have hereunto set my hand this 25th day of May, 2017.



Kelly Farrell
Certified Shorthand Reporter #8081